

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Parnell Colvin,

Plaintiff,

v.

Tako, LLC,

Defendant.

Case No. 2:22-cv-00082-CDS-DJA

Order

After the Court granted *pro se* plaintiff Parnell Colvin's first motion to extend time to file proof of service, Plaintiff filed another motion to extend time. (ECF No. 7). Like Plaintiff's first motion, his second explains that Plaintiff is experiencing difficulties after contracting COVID-19. (*Id.*). Plaintiff filed the motion on the date the proof of service was due. Plaintiff has also filed an application to proceed *in forma pauperis*. (ECF No. 8).

I. Discussion.

A. *The Court grant Plaintiff's motion for an extension.*

Under Federal Rule of Civil Procedure 4(m), if a plaintiff shows good cause for the failure to serve a defendant within ninety days after the complaint was filed, the court must extend the time for service for an appropriate period. Fed. R. Civ. P. 4(m). Under Local Rule IA 6-1, "[a] motion or stipulation to extend time must state the reasons for the extension requested and must inform the court of all previous extensions of the subject deadline the court granted." LR IA 6-1(a). The court liberally construes *pro se* filings. *See Hebbe v. Pliler*, 627 F.3d 338, 342 & n.7 (9th Cir. 2010).

The Court grants Plaintiff's request for an extension. Plaintiff has demonstrated good cause for the extension: continuous COVID-19 complications. Additionally, Plaintiff has moved to extend this deadline just before it expired. Liberally construing Plaintiff's motion, the Court

1 thus grants Plaintiff's request for an extension until July 5, 2022.¹ This is the last extension the
2 Court will grant for this deadline.

3 ***B. The Court denies Plaintiff's application to proceed in forma pauperis as moot.***

4 Plaintiff has already paid the filing fee for this case. Plaintiff thus does not need to apply
5 to proceed without paying the filing fee. The Court denies the application as moot.

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7 **IT IS THEREFORE ORDERED** that Plaintiff's motion to extend the service deadline is
8 **granted.** Plaintiff shall have until **July 5, 2022** to accomplish service on Defendants. This is the
9 last extension the Court will grant for this deadline.

10 **IT IS FURTHER ORDERED** that Plaintiff's application to proceed *in forma pauperis*
11 (ECF No. 8) is **denied as moot.**

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13 DATED: June 3, 2022



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15 DANIEL J. ALBREGTS
16 UNITED STATES MAGISTRATE JUDGE
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27 ¹ Plaintiff requested an extension until July 3, 2022, which is a Sunday. While the Court grants
28 the motion, it moves the deadline until the next day that is not a weekend or Court holiday: July 5,
2022.